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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/761,125 | 01/20/2004 | Jules Isendam | FLEXMSTR-002XX | 8795 |

7590 01/11/2006

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| EXAMINER |
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DUNWOODY, AARON M

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| ART UNIT | PAPER NUMBER |
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3679

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/761,125 | Applicant(s) ISENDAM ET AL. | |
| | Examiner Aaron M. Dunwoody | Art Unit 3679 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/21/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 14-28 in the reply filed on 12/14/2005 is acknowledged.

Claims 1-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/14/2005.

Priority

No priority claimed.

Information Disclosure Statement

The information disclosure statement (IDS) filed 5/21/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

The drawings are objected to because a bracket should embrace the illustrations of Figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first end region of the second pipe further including an internal cross section that is larger than an external cross section of first end region of the first pipe such that the first pipe fits generally within the first end region of the second pipe; and the first and the at least a second protrusion abeing disposed a first and a second spaced distance from the first end of the second pipe respectively, wherein the second spaced distance is greater than the first spaced distance and the first and the at least second protrusion prevent the first end of the first pipe from moving relative to the second pipe must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

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is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure is objected to because it describes a non-elected invention. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-16, 18-20, 22 and 24-28 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication US 2003/0075923 A1, Lepoutre.

In regards to claim 14, Lepoutre discloses a system for joining pipes, comprising:

a first pipe (2) having an indentation directed generally radially inward about a perimeter of the first pipe predetermined distance from first end of the first pipe, the indentation having an outer side and an inner side with respect to the first end of the first pipe;

a second pipe (5) having a first end region including first and least second protrusion (12) extending generally radially outward about a perimeter of the first end region, the first and the at least second protrusion each having an engaging surface adapted engage the inner side the indentation and the first and the second pipes into a fixed position relative to each other.

In regards to claim 15, Lepoutre discloses least one the first and the second pipes is thin walled and made from a generally deformable material.

In regards to claim 16, Lepoutre discloses the first end region of the first pipe further includes an internal cross section that is larger than an external cross section of first end region of the second pipe such that the second pipe fits generally within the first end region of the first pipe.

In regards to claim 18, Lepoutre discloses the first and the at least a second protrusion are disposed a first and a second spaced distance from the first end of the second pipe respectively, wherein the second spaced distance is greater than the first spaced distance and the first and the at least second protrusion prevent the first end of the first pipe from moving relative to the second pipe.

In regards to claim 19, Lepoutre discloses at least the first protrusion is wedge shaped with a thin end and a thick end, and oriented so that the thin edge of the wedge is closer to the first end than the thick end, and longitudinally oriented parallel to a longitudinal axis of the second pipe.

In regards to claim 20, Lepoutre discloses at least inner side the indentation is shaped to match the longitudinal cross sectional shape of the thick end of at least the first protrusion.

In regards to claim 22, Lepoutre discloses the at least first protrusion forms a ridge having a longitudinal axis perpendicular to the longitudinal axis of the second pipe.

In regards to claim 24, Lepoutre discloses at least one of the first and the second pipes is made from an elastically deformable material such that during assembly of the first and the second pipes, the indentation of the first and the second pipes, at least the first protrusion being forced by an indentation ring disposed generally about the circumference of the first end of the first pipe.

In regards to claim 25, Lepoutre discloses the indentation the first pipe includes an indentation ring disposed generally about the circumference of the first end of the first pipe.

In regards to claim 26, Lepoutre discloses the first and the at least second protrusion includes at least a third protrusion.

In regards to claim 27, Lepoutre discloses at least the first protrusion includes a protrusion ring disposed generally about the circumference of the first end of the second pipe.

In regards to claim 28, Lepoutre discloses a pipe comprising: a first end having an indentation extending generally radially inward around a circumference, the indentation having an outer side and an inner side, the outer side being closer the first end than the inner side; and second end having an external diameter that is smaller than an internal diameter the first end, the second end having first and at a least second protrusion, disposed first and a second distance from the second end respectively wherein the second spaced distance larger than the first spaced distance.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-28 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 2910311, Carr.

In regards to claim 14, Carr discloses a system for joining pipes, comprising:
a first pipe (12) having an indentation directed generally radially inward about a perimeter of the first pipe predetermined distance from first end of the first pipe, the indentation having an outer side and an inner side with respect to the first end of the first pipe;

a second pipe (12) having a first end region including first and least second protrusion extending generally radially outward about a perimeter of the first end region, the first and the at least second protrusion each having an engaging surface adapted engage the inner side the indentation and the first and the second pipes into a fixed position relative to each other.

In regards to claim 15, Carr discloses least one the first and the second pipes is thin walled and made from a generally deformable material.

In regards to claim 16, Carr discloses the first end region of the first pipe further includes an internal cross section that is larger than an external cross section of first end region of the second pipe such that the second pipe fits generally within the first end region of the first pipe.

In regards to claim 17, Carr discloses the first end region of the second pipe further includes an internal cross section that is larger than an external cross section of first end region of the first pipe such that the first pipe fits generally within the first end region of the second pipe.

In regards to claim 18, Carr discloses the first and the at least a second protrusion are disposed a first and a second spaced distance from the first end of the second pipe respectively, wherein the second spaced distance is greater than the first spaced distance and the first and the at least second protrusion prevent the first end of the first pipe from moving relative to the second pipe.

In regards to claim 19, Carr discloses at least the first protrusion is wedge shaped with a thin end and a thick end, and oriented so that the thin edge of the wedge is closer to the first end than the thick end, and longitudinally oriented parallel to a longitudinal axis of the second pipe.

In regards to claim 20, Carr discloses at least inner side the indentation is shaped to match the longitudinal cross sectional shape of the thick end of at least the first protrusion.

In regards to claim 21, Carr discloses at least the protrusion is hemispherical.

In regards to claim 22, Carr discloses the at least first protrusion forms a ridge having a longitudinal axis perpendicular to the longitudinal axis of the second pipe.

In regards to claim 23, Carr discloses the first and the second pipes system are dual walled.

In regards to claim 24, Carr discloses at least one of the first and the second pipes is made from an elastically deformable material such that during assembly of the first and the second pipes, the indentation of the first and the second pipes, at least the first protrusion being forced by an indentation ring disposed generally about the circumference of the first end of the first pipe.

In regards to claim 25, Carr discloses the indentation the first pipe includes an indentation ring disposed generally about the circumference of the first end of the first pipe.

In regards to claim 26, Carr discloses the first and the at least second protrusion includes at least a third protrusion.

In regards to claim 27, Carr discloses at least the first protrusion includes a protrusion ring disposed generally about the circumference of the first end of the second pipe.

In regards to claim 28, Carr discloses a pipe comprising: a first end having an indentation extending generally radially inward around a circumference, the indentation having an outer side and an inner side, the outer side being closer the first end than the inner side; and second end having an external diameter that is smaller than an internal

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diameter the first end, the second end having first and at a least second protrusion, disposed first and a second distance from the second end respectively wherein the second spaced distance larger than the first spaced distance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Aaron M Dunwoody
Primary Examiner
Art Unit 3679

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